

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG DIVISION**

REGENERON PHARMACEUTICALS, INC.,

Plaintiff,

v.

MYLAN PHARMACEUTICALS INC., and
BIOCON BIOLOGICS INC.,

Defendant.

Case No. 1:22-cv-00061-TSK

JURY TRIAL DEMANDED

JOINT STIPULATION REGARDING COMMERCIAL SUCCESS

Whereas, Plaintiff Regeneron Pharmaceuticals, Inc. (“Regeneron”) agrees that it will not assert at the June 2023 trial in this action the commercial or financial success of EYLEA as an objective indicium of non-obviousness, or in support of any other claim or defense in this June 2023 trial in this action pertaining to invention(s) claimed in any of Claims 11 or 19 of U.S. Patent No. 10,888,601; Claims 4, 7, 9, 11, or 14-17 of U.S. Patent No. 11,084,865; or Claims 6 or 25 of U.S. Patent No. 11,253,572, or claims that they depend upon;

Regeneron and Defendants Mylan Pharmaceuticals Inc. and Biocon Biologics Inc. (collectively, the “Parties”) hereby stipulate and agree as follows:

1. No Party will call Dr. Richard Manning as a witness, whether in-person or by deposition designation, at the June 2023 trial in this action concerning the above-identified claims; and

2. No Party will call Mr. Ivan T. Hofmann as a witness, whether in-person or by deposition designation, at the June 2023 trial in this action concerning the above-identified claims.

Date: June 22, 2023

Respectfully submitted,

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Dated: June 22, 2023

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*Counsel for Defendant
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Having reviewed the parties' stipulation, the provisions thereof are APPROVED and it is
SO ORDERED.

DATED: June 22, 2023

A handwritten signature in black ink, appearing to read "Tom S. Klee".

THOMAS S. KLEE, CHIEF JUDGE
NORTHERN DISTRICT OF WEST VIRGINIA